

The Proposal to Move Guantanamo Bay to Thomson, IL

Questions and Answers from U.S. Rep. Don Manzullo (IL-16)

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Q. Who are the people who will be transferred from Guantanamo Bay to US soil?

A. On November 15, 2009, Phillip Carter, Deputy Assistant Secretary of Defense for Detainee Policy, advised me during an extensive briefing that 215 Al Qaeda and Taliban “military combatants” reside at Guantanamo Bay, the remainder of the approximately 700 originally held there. Of that original group, approximately 500 have been released, one-fifth of whom the Department of Defense (DoD) states have returned to terrorism. Of these 215 military combatants, Secretary Carter stated 90 are ready to return to their home countries, but their home countries won’t take them because of their high threat for terrorism. Somewhere between 30 and 40 are ready for either a military tribunal or trial in US federal courts. That leaves around 100 of the most incorrigible combatants who would receive no trial anywhere and would be incarcerated for an unlimited period of time. It is these 100 the Administration plans to transfer to Thomson. But that number could increase significantly if the DoD continues to have trouble convincing other countries to take the terrorists, or if the trials are not ready to proceed. Whoever is at Gitmo when Thomson opens would be moved to the northwest Illinois prison because there are no plans to separate this group inside the United States.

I asked Sec. Carter if putting 100 terrorists (or more) at Thomson would make it the largest concentration of incarcerated terrorists in the United States, and he acknowledged it would. He also stated 800 to 1,500 US soldiers would guard these terrorists.

Comment: These “military” or “enemy” combatants are given that legal name because they believe their war will never end. They don’t respect the laws of war or the Geneva Convention and are the battle-hardened terrorist operatives who carry out the most heinous attacks on humanity, such as beheadings, remotely detonating roadside bombs to kill our troops and a belief in suicide bombings. *It takes ten soldiers to guard each terrorist.* They are totally unlike WWII prisoners who were interred in the US. Many are “graduates” of Osama Bin Laden’s terrorists training camps and believe in terrorism indoctrination and recruiting if mixed with regular federal prisoners.

Q. Don’t people understand that people living in northwest Illinois and the surrounding area are in dire need of jobs?

A. Ever since I was first elected, bringing jobs to our area has been my top priority. I chaired the House Small Business Committee for six years, holding hearings on the major issues affecting job creation for our small businesses, including tax relief, regulatory reform and our efforts to reduce health care costs. I have received a number of awards from many organizations dedicated to job creation, such as the U.S. Chamber of Commerce, National Federation of Independent Business, National Association of Manufacturers, and the Illinois Farm Bureau, among others.

In northwest Illinois, I convinced the Department of Defense to expedite removal of the unexploded ordinance at the Savanna Army Depot after it closed in the 1990s. The Army wanted to simply fence off the property and deny future generations an economic development tool and pristine tourism site. The

U.S. Fish and Wildlife Service has since established the 9,000-acre Lost Mound Wildlife Refuge, part of the Upper Mississippi Wildlife Refuge, and re-opened the backwaters of the Mississippi River to fishing. We continue to work on job-creating opportunities in the area.

I also strongly supported tax incentives that Rentech in East Dubuque needed for its planned \$1 billion conversion of its fertilizer plant from natural gas to liquefied coal, providing biofuels as a byproduct. I've been a proponent of the coal-to-liquid process to free us from dependence on foreign oil. However, even the mere threat of a new carbon tax in the cap and trade bill directly impacted northwest Illinois, when Rentech pulled the plug on the massive project that would have created up to 1,000 construction jobs.

For years, our office has been in contact with the State of Illinois to either open, or sell or lease the penitentiary to the federal government to provide much-needed and promised jobs to the people in northwest Illinois. The state always responded they wanted to keep Thomson because the state prisons were overcrowded, and the facility would be used "some day."

Now that the governor has agreed to sell Thomson to the federal government, I have called on the President to separate the two issues: proceed with opening Thomson as a federal prison and abandon the controversial element of housing the terrorists. Considering the House and Senate voted twice this year against allowing terrorists to be imprisoned in the United States, it's going to be a tough sell in Congress. I'm worried the Congress will continue to oppose it and we will get nothing. That's why I'm pushing the "federal prison only" proposal.

We must also take into consideration the attractiveness of our area as a destination for tourism and businesses looking to locate here given the close proximity and reputation of having the largest concentration of incarcerated terrorists in the United States. I have worked hard to encourage economic opportunities for northwest Illinois by securing federal funds to help build a 4-lane from Freeport to Galena and by working with Senator Durbin to bring back the Chicago-to-Dubuque, Iowa Amtrak route with stops in Rockford, Freeport and Galena. I will continue to pursue these opportunities and more because they provide much-needed jobs for the people I represent.

No matter what happens with the proposal to move Guantanamo Bay to Thomson, I'll continue to work hard to improve the security and economic opportunity for the people across our area of the state. I've been able to secure millions of dollars to enhance security throughout this congressional district, including funding for 40 law enforcement agencies in every county and municipality in northern Illinois, as well as beefed up campus security funding at Northern Illinois University, Rockford College, and all five community colleges. And, if Thomson is chosen as the detention site for the Gitmo terrorists, I will press every level of the federal government to enhance the security and economic resources the people of this area deserve to protect your families, critical workplaces, infrastructure and schools.

Q. How will the Thomson prison look after the transfer of federal prisoners and terrorists?

A. I was advised by Harley Lappin, Director of the Federal Bureau of Prisons (BOP) in the same Nov. 15 briefing with Phil Carter that there are 209,000 federal prisoners, of whom 55,000 are illegal aliens. Prison population grows by a net of 6 to 7 thousand a year, and though six new federal prisons are presently under construction, BOP is still 37% over capacity. The plan is to transfer to Thomson 1,500 high-security inmates. The Thomson facility is new and needs no improvements. Mr. Lappin said every

employee at the prison will become a law enforcement officer and therefore must be under the age of 37 when hired. Up to 800 prison personnel would be hired, with 250-300 present BOP personnel moving to Thomson. Up to 500 new employees would be hired, and of that amount the majority would come from within a 1 ½ hour driving radius (the remainder would come from a national pool of 27,000 applicants – there is no local hiring preference). The federal guard-to-prisoner ratio is 1 guard for every 5 prisoners, compared to DoD's plan to have at least 10 guards per terrorist. Mr. Carter advised no barracks would be built, and with the exception of a new perimeter fence that does not cost that much, *there would be insignificant remodeling or new construction.* He said the soldiers would primarily live in motels and apartments around the area.

I asked Mr. Lappin if the BOP would be interested in having Thomson as a stand-alone federal prison (without the terrorists). He jumped at the suggestion, but said BOP has no money to purchase it or run it. The purchase price is around \$140M and yearly operating budget is between \$65 million and \$85 million.

Let me be clear: my concern is not that the terrorists will escape from the Thomson prison, but that the relocation of Guantanamo detainees to Thomson will shift terrorists' hatred from Gitmo to Thomson, transform our area into the next Gitmo (in the words of the Chicago Tribune), and act as a magnet for other terrorists and their activities.

Q. Does the United States presently incarcerate terrorists?

A. Yes. Mr. Lappin advised there are approximately 340 international and domestic terrorists scattered around the federal prison system. They are divided into three groups: (1) “Low Risk” terrorists are placed in with general population in the prisons, and 220 are in this group. (2) “Moderate Risk” terrorists are increasingly lethal and are separated with their communications monitored. Currently, there are 35 – 40 housed at each prison in Marion, IL and Terra Haute, Ind. (3) “High Risk” prisoners are the most dangerous individuals with 35 to 40 at the super max prison in Florence, CO.

Mr. Lappin and Sec. Carter both advised that Thomson would be the only facility in the United States where US soldiers guard non-US military prisoners. Sec. Carter said this would be the largest group of incarcerated terrorists in the country. Plus, because of their affiliation with Al Qaeda or Taliban, they all have international connections, which distinguish them even more from all but a handful of the 340 terrorists presently housed in the United States.

Q. Why is Guantanamo Bay being closed?

A. The Obama Administration states that terrorists around the world view the existence of Guantanamo Bay as a symbol of America's unjust war in Afghanistan and Iraq. In fact, Mr. Carter stated that according to American commanders, Gitmo is used successfully by terrorists as a recruiting tool. I verified this with an independent examination of this issue, including meeting with the Senate Homeland Security Committee.

I asked Mr. Carter if the planned transfer of those detained at Gitmo to Thomson will also result in an increased security risk for the surrounding area because Gitmo's stigma would also transfer to Thomson. To me, it seems very likely the existing hatred towards Guantanamo Bay will simply shift to Thomson, which by comparison is much less secure. Mr. Carter *agreed* with me there would be an increased

security risk to northwest Illinois, but he had no way of estimating the extent of this threat. He said, however, he was confident that federal and local law enforcement officials could “manage the risk.”

People like former U.S. Navy Secretary and current Sen. Jim Webb (D-VA), Sen. Joe Lieberman (I-CT), and Rep. Peter Hoekstra (R-MI) consider any place in the United States that would replace Gitmo detainees would be a magnet to attract other terrorists to that area. I join in that deep concern, and agree with them and many others it is better to keep Gitmo open until the last of the military combatants are disposed of, especially since taxpayers have spent tens of millions of dollars to build the state of the art facility at Gitmo. Both Presidents Bush and Obama have expressed a desire to close Gitmo, and no new people have been sent there since 2007.

Q. Will transferring terrorists to the United States give them additional constitutional rights, and what impact will the facility have on the new federal courthouse in Rockford?

A. According to constitutional scholars with whom I have communicated, including those at the non-partisan Congressional Research Service and those on various legislative committees, the answer is a resounding “Yes.” For example, when the detainees are brought to the United States, a federal judge can order the government in certain cases to release them based on a violation of constitutional rights (habeas corpus). Currently, the courts cannot do that as long as the detainees are not on US soil. There is a law that presently prohibits detainees from being released on US soil, but that also could come under attack.

There are more questions than anybody can answer concerning the 100 or so planned “permanent” detainees (no military tribunal or federal court trial), and the 30 to 40 who are ready for a military tribunal or federal court trial, if they are indeed housed at Thomson. Many groups already involved in litigation with Gitmo detainees argue military tribunals are unfair and everyone should receive a federal court trial. They also argue it is unconstitutional to isolate prisoners without a prison history of violence and to house federal prisoners in the same facility as military prisoners. Where would these tribunals be held, if in fact the Gitmo personnel and military combatants are housed in Thomson? And would the federal trials be held in Rockford, the nearest federal courthouse? What impact will this litigation have on local government budgets for transportation, security and logistics? How many millions of dollars will state and local governments have to pay if they lose a case brought by the detainees, to comply with the federal Equal Access to Justice Act (EAJA)? These and other questions need to be asked and answered.

Q. Why are you so opposed to having the Gitmo terrorists moving to Thomson.

You can see my great concerns over the threat of a real breach in the safety and security of the people I represent and of the nation as a whole. This is not “fear mongering” as some have stated. It’s my job as a Member of Congress. To date, I have asked the federal government, including all the intelligence agencies, for information regarding terrorist threats that may arise domestically as a result of this plan to move Gitmo.

Due to the gravity of this request by the federal government, I will ask for congressional hearings to thoroughly investigate and assess the security implications of this move. This is the least I can do, because at this point Thomson is on the map of every single terrorist group that wants to harm Americans in retaliation for holding these terrorists. I didn’t invent it, nor am I the cause of it: that’s why I displayed the Chicago Tribune headline. Government homeland security experts have told me this. The people I

represent need to know everything about moving Gitmo, including sleeper cells and rogue individuals acting to support Al Qaeda.

I am a senior member of the Subcommittee on Terrorism, Non-proliferation and Trade of the House Foreign Affairs Committee. I have worked to strengthen our Nation's national security for years, even before September 11, through classified briefings, hearings, and other legislative efforts. I traveled to the Middle East and North Africa this past June to examine Al Qaeda's spread in those areas. I arrived in Algeria in between two Al Qaeda terrorist attacks. I feel strongly about moving Guantanamo detainees precisely because I believe it unnecessarily puts our communities at risk. That is why a bipartisan group of Senators and Representatives are opposed to this idea. Former Democratic Kansas governor and now Secretary of Health and Human Services, Kathleen Sebelius, wrote President Obama in January of this year and expressed opposition over moving Gitmo to Ft Leavenworth. She questioned the overall security of the area, the impact on hospitals giving medical treatment of the detainees, the handling of protesters because of increased notoriety, long term economic impact and the safety of children attending schools in a high-risk environment. My Democrat colleagues from Illinois, U.S. Reps. Melissa Bean (D-Barrington) and Debbie Halvorson (D-Crete) have both expressed serious reservations about moving Gitmo terrorists to Thomson because of security concerns.

Closer to home, in January 2009, Chicago residents Zubair Ahmed and Khaleel Ahmed plead guilty to charges that they provided material support to terrorists and aimed to travel abroad in a quest to murder U.S. military forces in Iraq and Afghanistan. And, just this past month, FBI agents were shocked to discover Al Qaeda linked David Headley and Tahawwur Rana, who were living in a rural area between DeKalb and Chicago, had plotted the Mumbai, India massacre, and have been involved in numerous terrorist plots around the world. The Headley sleeper cell operated for a long time right under the radar of law enforcement specially trained to detect these types of terrorists.

And consider this passage in a Washington Post story on Sunday, Nov. 29 about the difficulty the Administration is having in trying to convince other countries to take some of the Gitmo detainees:

- *Uthman Abdul Rahim has been imprisoned at Guantanamo for nearly eight years. The United States says he is an al-Qaeda fighter with ties to two of the USS Cole attackers. His family said he went to Afghanistan to teach the Koran and has no links to al-Qaeda or the Taliban. His brother Arif said he was confident that Obama would close Guantanamo next year. If he doesn't, or if Uthman and other detainees are sent to a prison in the United States, many families would consider it an even greater betrayal, he said. "The families, their friends, their tribesmen will have more hatred for the United States," Arif said. "And perhaps they will consider taking the same path as the extremists."*

This is why I'm concerned. And this is why I am asking questions.